### JNITED STATES PATENT AND TRADEMARK OFFICE In re Application of: QING MA QUAN TRAN STEVE TOWLE EBRAHIM ANDIDEH Examiner: D. Le Serial No.: 10/038,343 Art Unit: 2818 Filed: January 2, 2002 Attorney Docket: 042390.P8125D For: A SEMICONDUCTOR DEVICE HAVING A LOW-K DIELECTRIC LAYER Which is a Divisional of Application: Examiner: D. Le Serial No.: 09/524,766 Art Unit: 2818 Filed: March 14, 2000

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# DECLARATION OF MARK V. SEELEY UNDER 37 C.F.R. § 1.131

#### Dear Sir:

- I, Mark V. Seeley, declare that:
- I am a patent attorney with Intel Corporation, the assignee of the captioned non-provisional patent application.
- 2. I understand that the Intel legal department received no later than November 15, 1999 an invention disclosure, dated October 4, 1999, that described a multilayer laminate for use in a semiconductor device. The invention disclosure illustrated a two layer laminate that included a carbon doped oxide layer and a tougher film that was under compressive stress such as silicon dioxide or silicon nitride, and illustrated a four layer laminate that included a first carbon doped oxide layer, a first thin coating of the tougher film, a second carbon doped oxide layer, and a second thin

coating of the tougher film. Attached as Exhibit A is a true and correct copy of that invention disclosure.

- 3. The invention disclosure was assigned to an Intel invention review committee for evaluation. After meeting to review that invention disclosure, along with many others, the committee authorized the filing of a patent application for the invention.
- 4. The application was subsequently assigned to me for drafting. Soon after receiving the file, I began drafting a patent application for the invention described in the invention disclosure. After the inventors concluded that a draft accurately and completely described their invention, they signed Declaration and Power of Attorney forms for the application, and assignments for it, and returned those documents to me. Attached as Exhibits B, C, D, and E are true and correct copies of those documents.
- 5. After receiving the Declaration and Power of Attorney forms and the assignments, I had the parent application for the pending patent application filed on March 14, 2000.
- I drafted the patent application that issued as United States Patent No. 6. 6,383,917. That patent application and the pending patent application were, at the time the invention claimed in the pending patent application was made, subject to an obligation of assignment to the same entity namely Intel Corporation.
- 7. This declaration is being submitted to support a response to an Office Action mailed on October 21, 2004 for U.S. Patent Application Serial Number 10/038,343 entitled "A Semiconductor Device Having a Low-K Dielectric Layer."

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the captioned application or any patent issued thereon.

Date: December 9 2004 Muli Luk Mark V. Seeley

P8125

T 10	MG INVENTION DISCLOSURE, Rev 1, 2/98
im6/Prass/ma/ce	Located at: http://legal.intel.com

LEGAL ID#/3080 (legal dept. use only)

NOV 1 0 1999

It is important to provide accurate and detailed information on this form (fill in ALL areas under Inventor[s]). The information will be used to evaluate your invention for possible filing as a patent application. When completed, please return this form to Janice Boulden, Intel Legal Department at JF3-147. You can submit electronically if all of the information is electronic, including drawings and supervisor approval. If you have any questions regarding this form or to whom it should be forwarded, please call 503-264-0444.

Fill out the below and follow the instructions:

1.	Field of the Invention:	Х	Semiconductor Process: device and integration	RECEIVED
			Semiconductor Process + Equipment: thin films	
			Semiconductor Process + Equipment: etch/litho	NOV 1 5 1999
			Circuit Design	
			Flash	PATENT DATABASE GROUP
	•	0	Test	INTEL LEGAL TEAM
		D	CQN (Q&R)	
			Packaging	
			Boards/Cartridge	
			Automation	
		0	Other GC	IP Occasion of School Wheeler SC1-02
2	Conside Title of Invention	m.	Che	arry Wheelor

Crack resistant low-k laminate structures

 Brief Description of Invention (<u>please use only space provided</u> and font #10 or larger. Write the Key Elements of the Invention):

#### The invention is:

Laminates consisting of brittle low-k layers (e.g., carbon doped oxides) and SiO2 with compressive stress can significantly improve crack resistance.

Carbon doped oxide (CDO) materials have been considered as an important low-k candidate because of various attractive film properties and they can be deposited in PECVD equipment, similar to traditional oxide films. However, these CDO films can suffer severely from cracking, flaking, and delamination, making them challenging to integrate. A method to improve their crack resistance is to make a laminate structure of CDO and a material with higher toughness, keeping the second material thin so it will not significantly increase the k-value of the whole structure.

### The key elements are:

A. Crack resistance of a brittle low-k material can be significantly improved by laminating the material with a tougher film with compressive stress (such as SiO2 and SiN).

### 4. Inventor(s):

M/S: SS# Empl.# Name: SC1-03 612-52-4736 10581923 **⊗**uan Tran Fax: Home Address: Phone: (408) 765-2949 2048 Flintbury Ct. San Jose, CA 95148 (408) 765-2341 Supervisor M/S: Supervisor Phone: Supervisor Name: Citizenship: SC1-03 Qing Ma 408-765-2116 USA BUM Presenter: Inventor Signature: Group Name: TMG Division Name: ATD\_ John Carruthers PTD\_\_\_CTM\_\_\_CR\_X\_\_ STTD\_\_\_CQN \_\_ SMTD\_\_\_TCAD\_ Other?\_\_\_ M/S: SS# Empl.# Name: 10071627 SC1-02 191-64-5381 Qing Ma Fax: Home Address: Phone: 919 Brentwood Dr., San Jose, CA 95129 408-765-2949 408-765-2116 Supervisor Name: Supervisor Phone: Supervisor M/S: Citizenship: 408-765-2369 SC1-03 Harry Fujimoto P.R. China BUM Presenter: Inventor Signature: Group Name: TMG Division Name: ATD John Carruthers PTD\_\_\_CTM\_\_\_CR\_X\_ STTD\_\_\_CQN\_\_\_ SMTD\_\_\_TCAD\_\_ Other? M/S: SS# Empl.# Name: SC2-16 004-68-8725 10523564 Steve Towle Home Address: Phone: 408-765-2162 206 S. Bayview Ave. Sunnyvale CA 94086 408-765-6464 Supervisor Phone: Supervisor M/S: Supervisor Name: Citizenship: SC2-16 Steve Burke 765-2161 USA BUM Presenter: Inventor Signature: Group Name: TMG A.M. Kenitzer Division Name: ATD\_ PTD CTM\_\_CR\_\_ STTD\_\_\_CQN \_\_\_ SMTD\_\_\_TCAD\_\_ Other?\_\_TME\_\_ M/S: SS# Empl.# Name: Home Address: Fax: Phone: Supervisor M/S: . Supervisor Name: Supervisor Phone: Citizenship: Inventor Signature: BUM Presenter: Group Name: TMG Division Name: ATD PTD\_\_\_CTM\_\_\_CR\_\_\_ STTD\_\_\_CQN\_\_ SMTD \_\_TCAD\_\_

Other?\_\_\_

	(PROVIDE SAME INFORMATION AS ABOVE FOR EACH ADDITIONAL INVENTOR)
5.	HAVE YOUR SUPERVISOR READ, DATE AND SIGN COMPLETED FORM (use first inventor's supervisor if multiple inventors)
	DATE: 10/4/1999 SUPERVISOR NAME: Harry Fujimoto
	BY THIS SIGNING, I (SUPERVISOR) ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THIS DISCLOSURE, AND RECOMMEND THAT THE HONORARIUM BE PAID.
6.	Has subject matter of present disclosure been disclosed or will it be disclosed outside Intel?  If yes, explain and give date:  (Give expected tape out date if applicable): No
7.	Has the subject matter of present disclosure been published or will it be published outside of Intel? If yes, explain and give date: No
8.	Has a product using or manufactured using the present disclosure been sold or offered for sale? If yes, explain and give date: No
9.	Has this invention been conceived, or constructed during accomplishment of a government or third party contract? If yes, give contract name and number: No
10.	Explain the problem being addressed by the Invention:
	This invention addresses the problem of:
	Cracking of low-k films.
11.	Explain current state of the art (i.e, how the problem is solved today):
	Presently the problem described above is solved by:
	Brittle low-k films are restricted to thicknesses well below their cracking threshold, often < 1um.
12.	Explain technical advantages of the invention over current state of the art:
	The technical advantages of this invention are:
	1. It will enhance the mechanical integrity of low-k films, preventing films from cracking failure.

- 3. a. Is the invention experimentally verified? Yes
  - b. Is the invention verified with simulation?
  - c. If neither a. or b. above, then you can get a patent on the concept, but please explain the technical basis to justify that your invention will work (use extra space if necessary):
  - It was experimentally verified. Critical stress needed to crack film improved by 50% (from 80MPa to 120MPa). See attached memo.
  - The processing technology is standard. Invention could be implemented with a multistep reaction in a PECVD deposition chamber.
  - 3. It has only a few percent impact on k.
- 14. Detailed Description of Invention (try to use only the space provided with font #10 or larger type. Refer to your drawings):
  - 1. Figure 1a shows a brittle low-K film, such as CDO.
  - Figure 1b shows a double layer laminate that has a thin coating on low-k film. The thin coating has larger toughness and is under compressive stress (typical SiO2 and SiN)
  - 3. Figure 1c shows a 4 layer laminate, which further improves crack resistance.

Referenced sketches/dwg's/diagrams: (use additional page(s))

Drawings (use as many pages as needed) (PLEASE DO NOT MAKE COLOR DRAWINGS)

Please see attached figures.

18.	Have you reviewed your invention with a TMG Patent Mentor? (see below for mentor names) give name:Yes. Chien Chiang	If so,
	P860 and beyond.	
17.	What is the product or process invention to be used on? (e.g., P8xx, name of product, etc.):	
	Please see attached memo.	
16.	Key Supporting Data (1 page limit on separate page):	

19. Any other information IP committee should consider?

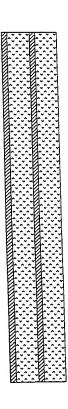
#### MENTOR REVIEW

If you don't already have a departmental peer review process for invention disclosures, we recommend you have it reviewed by a Mentor before you send your invention disclosure to Intel Legal. The purpose of this Mentor review is to ensure that the invention disclosure is written clearly enough for the IP Committee to comprehend your invention including all the novel aspects of it. Please refer to the list below for recommended Mentors by area. Select ONE Mentor to review and acknowledge. This recommended step is not meant to unreasonably slow down the invention disclosure process. If your Mentor fails to respond to you in a reasonable amount of time, then send your invention disclosure directly to Intel Legal.

Area	Mentor
Semiconductor Process – device and integration	Mark Bohr, Robert Chau, Krishna Seshan, Greg Atwood
Semiconductor Process – thin films	Ken Cadien, Chien Chiang, John Carruthers
Semiconductor Process – etch/litho	John Carruthers, Peter Silverman, Peter Charvat (etch), Yan Borodovsky (litho)
Circuit Design	lan Young, Greg Taylor, Clair Webb, Rajesh Galivanche, Greg Atwood
Flash	Greg Atwood, Krishna Seshan
Test	Wayne Needham, Rajesh Galivanche
CQN (Q&R)	lan Young, Greg Taylor, Clair Webb, John Carruthers, Wayne Needham, Naomi Obinata
Packaging	Ken Kinsman, Jack McMahon
Boards/Cartridge	Leslie Polaski
-Automation	Sanjay Natarajan
Other	Ray Werner, Naomi Obinata

. A brittle low-K film, such as CDO.
, A double layer laminate that has a thin coating on low-k film. The thin coatir
nas larger toughness and is under compressive stress (typical SiO2 and SiN)
. A 4 layer laminate, which further improves crack resistance.

	<b>*******</b>
<u></u>	<u> </u>



the specification of which

### DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

### METHOD FOR MAKING A SEMICONDUCTOR DEVICE HAVING A LOW-K DIELECTRIC LAYER

<u>x</u>	is attached hereto.	
	was filed on	as
	United States App	plication Number
	or PCT Internation	onal Application Number
	and was amended	l on
		(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign applications for patent or inventor's certificate listed below and have also identified below any-foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Priority
Claimed

pending, abandoned)

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes ·	No
	e benefit under title 3 cation(s) listed below	5, United States Code, Section 119	(e) of any Unit	ed State
(Applic	ation Number)	Filing I	Date	_
(Applic	ation Number)	Filing I	Date	_
application(s) list application is not first paragraph of all information k Federal Regulation	ted below and, insofar disclosed in the prior Title 35, United Stat mown to me to be mat ons, Section 1.56 whi	35, United States Code, Section 12 r as the subject matter of each of the United States application in the mes Code, Section 112, I acknowled terial to patentability as defined in the became available between the fitternational filing date of this application.	e claims of thi nanner provide ge the duty to Fitle 37, Code ling date of the	s d by the disclose of
rr				

I hereby appoint Aloysius T. C. AuYeung, Reg. No. 3S,432; William Thomas Babbitt, Reg. No. 39,591; Kent D. Baker, Reg. No. 38,822; Jordan Michael Becker, Reg. No. 39,602; Bradley J. Bereznak, Reg. No. 33,474; Michael A. Bernadicou, Reg. No. 35,934; Roger W. Bravely, Jr., Reg. No. 25,831; Gregory D. Caldwell, Reg. No. 39 926; Kent M. Chen, Reg. No. 39,630; Lawrence M. Cho, Reg. No. 39,942; Thomas M. Coester, Reg. No P39,637; Roland B. Cortes, Reg. No. 39,152; William Donald Davis, Reg. No. 38,428; [Daniel M De Vos, Reg. No. 37,813; Karen L. Feistharnel, Reg. No. 40,264; David R. Halvorson, Reg. No. 33,395; Brian Don Hickman. Reg. No. 35,894; Eric Ho, Reg. No. P39,711; George W Hoover II, Reg. No. 32,992; Eric S. Hyman, Reg. No. 30,139, Jeffrey D. Jacobs, Reg. No. 40,029; Dag H. Johansen, Reg. No. 36,172; Stephen L. King, Reg. No. 19,180; Dolly M. Lee, Reg. No. 39,742; Michael J.

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Send correspondence to Mark Seeley, c/o BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025 and direct telephone calls to Mark Seeley, (408) 765-7382.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Ebrahim Andideh		
Inventor's Signature X	Date	χ
Residence 10141 N.W. Priscilla Ct., Portland, OR 9 (City, State)	97229	Citizenship US (Country)

Post Office Address Same as above

Full Name of Second/Joint Inventor Qing Ma
Inventor's Signature X Date X 2/29 / 2000
Residence 919 Brentwood Dr., San Jose, CA 95129 Citizenship US (City, State) (Country)
Post Office Address Same as above
Full Name of Third/Joint Inventor Quan Tran
Inventor's Signature X Quantran Date × 03/01/2000
Residence 2048 Flintbury Ct., San Jose, CA 95148 Citizenship US (City, State) (Country)
Post Office Address Same as above
Full Name of Fourth/Joint Inventor Steve Towle
Inventor's Signature Date X 3/1/2000
Residence 206 S. Bayview Ave., Sunnyvale, CA 94086 Citizenship US (City, State) (Country)
Post Office Address Same as above

. .

Attorney's Docket No.: 42390.P8125

#### PATENT

### **DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

# METHOD FOR MAKING A SEMICONDUCTOR DEVICE HAVING A LOW-K DIELECTRIC LAYER

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I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign applications for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Priori	ty
Claim	

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
•	e benefit under title 3 cation(s) listed below	5, United States Code, Section 119(e	) of any Uni	ted Sta
(Applic	ation Number)	Filing Da	te	_
(Applic	ation Number)	Filing Da	te	_
application(s) list application is not	ed below and, insofa disclosed in the prior	35, United States Code, Section 120 or as the subject matter of each of the r United States application in the matter Code, Section 112, I acknowledge	claims of thi nner provide	s d by tl

all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Number)	Filing Date	(Status—patented,
		pending, abandoned)

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Full Name of Sole/First Inventor Ebrahim Andideh

Inventor's Signature (

Residence 10141 N.W. Priscilla Ct., Portland, OR 97229 Citizenship US (City, State)

(Country)

Post Office Address Same as above

Full Name of Second/Joint Inventor Qing Ma		
Inventor's Signature	Date	
Residence 919 Brentwood Dr., San Jose, CA 95129 (City, State)	Citizenship US	(Country)
Post Office Address Same as above		
Full Name of Third/Joint Inventor Quan Tran		
Inventor's Signature	Date	
Residence 2048 Flintbury Ct., San Jose, CA 95148 (City, State)	Citizenship US	(Country)
Post Office Address Same as above	· .	
Full Name of Fourth/Joint Inventor Steve Towle		
Inventor's Signature	Date	
Residence 206 S. Bayview Ave., Sunnyvale, CA 94 (City, State)	086 Citizenship <u>U</u>	(Country)
Post Office Address Same as above		

.

Attorney's Docket

### ASSIGNMENT

**PATENT** 

No.: 42390.P8125 (For Execution Prior to Filing Patent Application)

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, we the undersigned, Ebrahim Andideh, Qing Ma, Quan Tran and Steve Towle, hereby sell, assign, and transfer to Intel Corporation a corporation of Delaware, having a principal place of business at 2200 Mission College Boulevard, Santa Clara, California 95052, ("Assignee"), and its successors, assigns, and legal representatives, the entire right, title, and interest for the United States and all foreign countries, in and to any and all improvements that are disclosed in the application for the United States patent that has been executed by the undersigned prior hereto or concurrently herewith on the dates indicated below and is entitled "METHOD FOR MAKING A SEMICONDUCTOR DEVICE HAVING A LOW-K DIELECTRIC LAYER" and in and to said application and all divisional, continuing substitute, renewal, reissue, and all other patent applications that have been or shall be filed in the United States and all foreign countries on any of said improvements, and in and to all original and reissued patents that have been or shall be issued in the United States and all foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said United States application; agree that said Assignee may apply for and receive a patent or patents for said improvements in its own name; and that, when requested, without charge to, but at the expense of, said Assignee, it successors, assigns, and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements' execute all rightful oaths, assignments, powers of attorney, and other papers; communicate to said Assignee, its successors, assigns, and representatives all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible that said Assignee, its successors, assigns, or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements, and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns, and legal representatives' and covenant with said Assignee, its successors, assigns, and legal representatives that no assignment, grant, mortgage, license, or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Each Inventor: Please Sign and Date Below:

Each Inventor: Please also list the date that you signed the accompanying DECLARATION AND POWER OF ATTORNEY:

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Attorney's Docket No.: 42390.P8125

### ASSIGNMENT

(For Execution Prior to Filing Patent Application)

PATENT

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, we the undersigned, Ebrahim Andideh, Qing Ma, Quan Tran and Steve Towle, hereby sell, assign, and transfer to Intel Corporation a corporation of Delaware, having a principal place of business at 2200 Mission College Boulevard, Santa Clara, California 95052, ("Assignee"), and its successors, assigns, and legal representatives, the entire right, title, and interest for the United States and all foreign countries, in and to any and all improvements that are disclosed in the application for the United States patent that has been executed by the undersigned prior hereto or concurrently herewith on the dates indicated below and is entitled "METHOD FOR MAKING A SEMICONDUCTOR DEVICE HAVING A LOW-K DIELECTRIC LAYER" and in and to said application and all divisional, continuing substitute, renewal, reissue, and all other patent applications that have been or shall be filed in the United States and all foreign countries on any of said improvements, and in and to all original and reissued patents that have been or shall be issued in the United States and all foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said United States application; agree that said Assignee may apply for and receive a patent or patents for said improvements in its own name; and that, when requested, without charge to, but at the expense of, said Assignee, it successors, assigns, and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements' execute all rightful oaths, assignments, powers of attorney, and other papers; communicate to said Assignee, its successors, assigns, and representatives all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible that said Assignee, its successors, assigns, or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements, and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns, and legal representatives' and covenant with said Assignee, its successors, assigns, and legal representatives that no assignment, grant, mortgage, license, or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Each Inventor: Please Sign and Date Below:

Each Inventor: Please also list the date that you signed the accompanying DECLARATION AND POWER OF ATTORNEY:

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